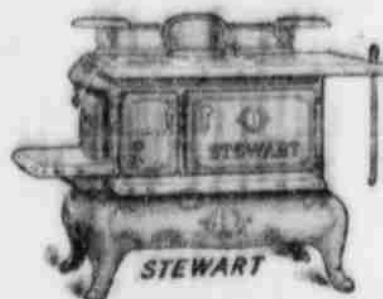


Stewart Base Burners

Are absolutely new and up-to-date. Have double heating attachment. Are perfect in regulation. Save fuel. Handsome in appearance.



Stewart Ranges

Excel in baking, roasting, cooking, toasting. They never disappoint.

Raabe & Mauger

115-117 North First Street

DEMOCRATS ATTEMPT TO NAME

(Continued from Page One.)

therefore confined in your selection of judges to the lists submitted by three parties. I therefore ask you what is your intention to do in this matter, so that should not you intend to follow the law as I have stated it, I may apply to the district court, which is now in session for a writ of mandamus to compel you to comply with the law, and also to get a construction of that law."

Mr. Lester then took the floor, saying: "On behalf of the Democratic Central committee, I wish to say that we disagree very materially with the gentleman in regard to the construction of the law. The line which he has laid down has never been the practice in the county, and is beside unreasonable and unnecessary. The law says that three men shall be named for selection as judges only in order that should one of the parties fail to file any list, the board might have names enough to select from. His construction of the law would prohibit the party having only three representatives in a precinct from having any judge there at all, because there were not enough men there for naming

nine prospective candidates for judges of election. I think this board will name its judges in a fair and just way, taking one from the Republican list, one from the progressive Republican list, and one from the Democratic list. The law is not mandatory on the board, only persuasive."

Mr. Wood then took the floor again, saying that this was the first election to be held under this law, except the election for delegates to the constitutional convention, in which no question of the kind had ever been put up, but that if the law was as Mr. Lester had stated it, the board had been manifestly unfair to the Socialists who had uniformly had a ticket in the field heretofore, but had never had any election judges.

"**You Are a Rubber Stamp.**" "If you allow the Central committee to name only three men for the three offices, you let them make you merely a rubber stamp," he said. "I therefore ask you, formally, what it is your intention to do."

Chairman Grunfeld of the board, then said, "we are going to name one judge from each list."

Mr. Wood called this unfair. "We mean to be fair and just," said Mr. Grunfeld. "That's the reason we are doing it this way."

"Give me fifteen minutes to get an order of court then, a construction of the law," asked Mr. Wood.

Mr. Springer moved that the board proceed to the appointment of the judges of election, taking the first-named man of each list in every precinct.

This was seconded by Mr. Armijo and carried.

Don Jesus Breaks In.

Mr. Wood then said, "I warn you gentlemen, that you are breaking the law, and that I shall do my utmost to punish you for it."

Don Jesus Romero, sheriff of the county, then broke into the confusion, which was rapidly becoming general, with "We are going to appoint the judges, you can't bulldoze us."

Mr. Wood said, "what have you got to say about it? You are not a county commissioner, though you sometimes think you are."

Mr. Romero said, "You go on with the Hubbard, that's where you belong."

Mr. Wood said, "I am going with law-abiding people, sir, not with you." He then went across to the district court chambers.

Court Warns the Board.

By this time the board had scattered into the probate clerk's office, and was waiting apparently for a move from someone. T. K. D. Maddison, clerk of the district court, appeared with a request from the court that the board wait five minutes before taking any further action so that he might look into the papers which Mr. Wood had presented. Chairman Grunfeld was called back into the commissioners' room, and after hearing the request, granted it. The board did not take a formal recess, but merely did nothing for several minutes.

In the meantime, Mr. Wood laid the matter before Judge Ira A. Abbott of the district court, and secured from him a writ compelling the board to show cause why it should not be made to appoint two election judges from the list submitted by the Republicans, returning with him.

Don Jesus Gets Into It Again.

Mr. Wood brought this back into the probate clerk's office, and showed it to Chairman Grunfeld. Mr. Grunfeld and he had several heated words, and then Sheriff Romero made a low voiced remark of some sort. Mr. Wood replied heatedly, for a few seconds it seemed that violence was imminent, the sheriff telling Mr. Wood that he was not running things there, and that he had no business there.

Mr. Wood said, "Yes, I knew your game, and prepared for it."

"We ain't got no game," shouted the sheriff, "we're for the people."

Thereupon Mr. Lester and others interceded, and any further outbreak was averted.

The board took a recess until 1 o'clock, the hearing before Judge Abbott on the writ having been set at 2 o'clock by consent of Mr. Wood and Mr. Lester, the former agreeing to allow a further wait should it be necessary.

This afternoon, when the hearing was held upon the question of making the writ permanent, the argument was opened by District Attorney George S. Klock. Mr. Klock upheld that as the matter was one of great importance and the time was somewhat limited, the counsel had admitted certain things for the purposes of the hearing, and he thereupon moved that the writ be quashed, because it had been improperly issued. He held that the writ of mandamus might not be invoked in a circumstance where the statute under

which it was issued was not mandatory. He produced a somewhat lengthy argument showing that the statute, Section 2 of Chapter 163 of the compiled laws of 1909, was mandatory only in portions and not throughout.

Mr. Klock held that the court had no right to issue a writ of mandamus when it was consulted by both sides in the controversy that the commissioners had merely stated their intention of appointing one election judge from each of the three parties, and had not as yet taken any definite action in regard to the matter, "not broken any statute" was the way he phrased it. His whole argument to quash was based upon the fact that the court had mandated the board in the exercise of a discretionary power, as opposed to a mandatory power, a duty laid upon it by the law.

Mr. Klock stated the statute to contain the provisions allowing the board to select election judges from among voters not named in lists filed by party, chairman, and said that left the matter in the present case, where the lists filed by the Republicans and by the Democrats were incomplete, placed the whole matter in the discretion of the board.

Mr. Lester, appearing for the Democrats, stated that the intention of the statute was to give representation to every political faith as long as the list of judges in each precinct held out at the rate of one to a party. He claimed that the word "dominant" in the statute referred only to the filing of the lists and not to the appointment of the election judges, which he said should not be chosen from the "two dominant parties" alone when there were other parties in existence.

Mr. Klock then said that the statute was not sufficiently mandatory to strip the board of its right of selection of candidates, should for any reason a county chairman neglect to file his list. He upheld the contention that in this event the board might select judges from among any competent electors of a precinct.

Mr. Lester said that the only mandatory portions of the statute were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"

Mr. Stahl, appearing for the progressive Republicans, said that the court had erred in mandating a discretionary action on the part of the board. He also upheld the contention of Mr. Lester that the only mandatory portions of the act were those compelling the board to appoint three judges and prohibiting them from appointing more than two from the same political party.

"The law requires the clerk to notify the chairman of each political party," he said, "What is that for unless it means that each shall have equal representation?"